

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The Examiner has rejected claims 9-11 under 35 U.S.C. §102(b) as being anticipated by *Fisher*. Claim 9-11 have been cancelled without prejudice.

The Examiner has rejected claims 9-11 under 35 U.S.C. §102(b) as being anticipated by *Schreiber*. As stated above, claims 9-11 have been cancelled without prejudice.

The Examiner has rejected claims 2-8 under 35 U.S.C. §103(a) as being unpatentable in view of *Fisher* and *Schreiber*. Claim 5 has been cancelled without prejudice. Claims 2, 3, 6 and 7 continue to depend from claim 8. It is respectfully submitted that the remaining claims as presented are patentable over the above-cited references taken singularly or in combination.

The Examiner states that it would have been obvious to modify the broad shaft assembly of *Fisher* or *Schreiber* to include third central articulation. This is because the Examiner believes that this modification would simply involve a duplication of parts.

It is respectfully submitted that this duplication of parts is not obvious. In reproducing the duplication of parts, and starting from either *Fisher* or *Schreiber* in combination with a central articulation would lead to a drive shaft assembly having four joints with two central joints being connected to each other by an intermediate shaft. This duplication of parts would then lead to three shaft segments and four joints.

In contrast to that design, claim 8 defines a shaft assembly having two shaft segments and three joints. It is respectfully submitted that the initial central joint does not provide for multiplied effect with respect to shaft assembly having only two joints. The effect of a shaft is to transmit torque between the gear box and the differential boxes in a vehicle. There is no improvement in transmitting the torque or increasing the torque transmitted when an additional third joint is provided. In addition, the third joint would usually be avoided by a person

skilled in the art not only due to frictional losses but also considering the additional parts to be provided and especially the additional weight of the third joint. Also, a person skilled in the art would try their best to avoid such an additional joint. Thus, it is respectfully submitted that it is not obvious to provide such an additional joint. Therefore, it is respectfully submitted that claim 8 as written is patentable over the above identified references in combination with a third, central articulation.

Claim 5 has been canceled.

New claim 12 has also been added. Claim 12 includes the elements of claims 8, 4 and 5. It is respectfully submitted that new claim 12 is patentable over the above cited references. For example, claim 12 recites the following features:

wherein the gearbox-side articulation and/or the central articulation are sliding articulations and wherein the sliding articulations together have an assembly displacement path, which corresponds to at least a length, with which the gearbox output shaft or the differential input shaft projects into the first or second inner hub in operation.

In contrast, *Fisher* discloses an inner hub that is not free to be displaced in an actual inward direction to such an extent that the shaft could be demounted without demounting the journals as well. This feature is not necessary with the design of *Fisher* as the flanges of the journals are provided for separating the shaft together with the journals from a gearbox or differential.

In addition, with *Schreiber*, there is only one sliding joint shown in the right-hand side of FIG. 1 of *Schreiber* which does not have an assembly displacement path, which corresponds with the lengths with which the shaft journal projects into the inner hub. In *Schreiber* it is not necessary for the shaft to be connected with its other side, the left-hand side of FIG. 1, with the driven wheel such that the shaft can be easily dismounted from the left-hand side with the shaft journal 6 still within the inner hub of the joint.

Therefore, it is respectfully submitted that new claim 12 is patentable over the above cited references.

In conclusion, claims 2-4, 6-8 remain in the application.
Claims 1, 5, and 9-11 have been canceled without prejudice.
Therefore, early allowance of the remaining claims is respectfully
requested.

Respectfully submitted,
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Enclosures:

Petition for one-month Extension of Time, RCE

Mail Date:

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